

House Calendar No. 21.

67TH CONGRESS,
1ST SESSION.

S. 535.

[Report No. 71.]

IN THE HOUSE OF REPRESENTATIVES.

APRIL 27, 1921.

Referred to the Committee on Interstate and Foreign Commerce.

MAY 16, 1921.

Reported with amendments, referred to the House Calendar, and ordered to be printed.

[Omit the part struck through and insert the part printed in italic.]

AN ACT

To prevent the unauthorized landing of submarine cables in the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That no person shall land or operate in the United States any
4 submarine cable directly or indirectly connecting the United
5 States with any foreign country, or connecting one portion
6 of the United States with any other portion thereof, unless
7 a written license to land or operate such cable has been issued
8 by the President of the United States: *Provided, however,*
9 That any *such* cable now laid within the United States with-
10 out a license granted by the President may continue to oper-
11 ate without such license for a period of ninety days from the
12 date ~~of the approval of this Act takes effect:~~ *And provided*

1 *further, That the conditions of this Act shall not apply to*
2 *cables, all of which, including both terminals, lie wholly*
3 *within the continental United States.*

4 SEC. 2. That the President may withhold or revoke
5 such license when he shall be satisfied *after due notice*
6 *and hearing* that such action will assist in securing rights
7 for the landing or operation of cables in foreign coun-
8 tries, or in maintaining the rights or interests of the
9 United States or of its citizens in foreign countries, or
10 will promote the security of the United States, or may
11 grant such license upon such terms as shall be neces-
12 sary to assure just and reasonable rates and service in the
13 operation and use of cables so licensed: *Provided*, That the
14 license shall not contain terms or conditions granting to the
15 licensee exclusive rights of landing or of operation in the
16 United States: *And provided further*, That nothing herein
17 contained shall be construed to limit the power and juris-
18 diction heretofore granted the Interstate Commerce Com-
19 mission with respect to the transmission of messages.

20 SEC. 3. That the President is empowered to prevent
21 the landing of any cable about to be landed in violation of
22 this Act. Any district court of the United States exercising
23 jurisdiction in the district in which any cable is about to
24 be landed or is being operated in violation of this Act, or has
25 been landed in violation of this Act, shall have jurisdiction
26 to enjoin the landing or operation of such cable, or to compel

1 by injunction the removal of such cable. If a license to
2 land a cable shall be granted under this Act, and if the
3 conditions of such license shall not be complied with, any
4 district court of the United States exercising jurisdiction in
5 the district in which such cable shall have been landed shall
6 have jurisdiction by injunction to prevent the operation of
7 such cable or cause the removal thereof.

8 SEC. 4. That whoever knowingly commits, instigates,
9 or assists in any act forbidden by section 1 of this Act shall
10 be guilty of a misdemeanor and shall be fined not more
11 than \$5,000, or imprisoned for not more than one year, or
12 both.

13 SEC. 5. That the term "United States" as used in this
14 Act includes the Canal Zone, the Philippine Islands, and all
15 territory, continental or insular, subject to the jurisdiction of
16 the United States of America.

17 SEC. 6. That no right shall accrue to any Government,
18 person, or corporation under the terms of this Act that may
19 not be rescinded, changed, modified, or amended by the
20 Congress.

Amend the title so as to read: "An Act relating to the
landing and operation of submarine cables in the United
States."

Passed the Senate April 25 (calendar day, April 26),
1921.

Attest:

GEORGE A. SANDERSON,

Secretary.

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